

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 17-36 and 38-44 are currently pending. Claims 17-26 and 32-33 have been amended; and Claim 37 has been canceled by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.¹

In the outstanding Office Action, Claims 17-28, 31-37, and 41-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/0236836 to Borthwick (hereinafter “the ‘836 publication”) in view of U.S. Patent No. 5,805,783 to Ellson (hereinafter “the ‘783 patent”); and Claims 29-30 and 38-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘836 publication in view of the ‘783 patent and further in view of Khare (“Bitstream portable font resources for Web pages,” 20 February 1997, retrieved from <http://www.xent.com/FoRK-archive/winter96/0524.html> on 1 May 2009) (hereinafter “the Khare article”).

Amended Claim 17 is directed to a 3D character mail system for reproducing electronic mail, comprising:

- a first terminal to create 3D character mail, to generate instruction information for expressing an input text message using a 3D font, and to transmit the text message and instruction information to a server;
- said server to store a 3D font, to generate control information about the 3D font for expressing the text message on the basis of the received instruction information, and to store the received text message and the generated control information as 3D message information,
- wherein **said control information includes a parameter to control motion of the 3D font**, and said first terminal further transmitting access path information to access the 3D message information stored in said server to a second terminal; and
- said second terminal to access said server on the basis of the access path information received from said first terminal, to download the 3D message information and a corresponding 3D font, and to reproduce the 3D character mail.

1. See page 3, lines 10-18.

Applicants respectfully submit that the rejection of Claim 17 is rendered moot by the present amendment to that claim.

Regarding the rejection of Claim 17 under 35 U.S.C. § 103(a), the Office Action asserts that the '836 publication discloses everything in Claim 17 with the exception of the fonts and messages being 3D, and relies on the '783 patent to remedy those deficiencies.

The '836 publication is directed to a system for designing and sharing rich media productions on client computers on a computer network. In the '836 system, fonts and other elements for an email either previously exist in an author computer or are downloaded to the author computer prior to sending the email. However, as admitted in the Office Action, the '836 publication fails to disclose the fonts and messages being 3D.

Regarding the server generating control information about the 3D font for expressing the text message on the basis of the received instruction information, the Office Action relies on step 8060, 8070, and 8080 of the '836 publication as teaching this feature. However, paragraph 0058 of the '836 publication describes steps 8060 through 8070 being performed using the writer template in the author terminal, not by a server, and in step 8080, an email template sends a data record to the server. Thus, Applicants submit that steps 8060, 8070, and 8080 of the '836 system are not performed in a server.

In addition, the Office Action states that the '836 patent describes a writer template which is used to assemble, combine, arrange and edit the imported media objects. However, the '836 patent does not disclose generating control information including parameters to control motion of a 3D font. Thus, Applicant respectfully submits that steps 8060 through 8080 of the '836 patent do not disclose a server to store a 3D font, to generate control information about the 3D font for expressing the text message on the basis of the received instruction information, wherein said control information includes a parameter to control motion of the 3D font, as recited in amended Claim 17.

The '783 patent is directed to storing three-dimensional font characters and retrieving them to be manipulated, both using conventional-type setting manipulations, as well as orientation manipulations of the text in three dimensions. However, manipulation of a 3D font character may indicate display of various static orientations and does not disclose or suggest motion of the 3D font or a parameter to control motion of the 3D font. Thus, Applicants respectfully submit that the '783 publication fails to overcome the deficiencies of the '836 patent.

Therefore, Applicants respectfully submit that no matter how the '836 patent and the '783 publication are combined, the combination fails to teach or suggest a server to store a 3D font, to generate control information about the 3D font for expressing the text message on the basis of the received instruction information, wherein said control information includes a parameter to control motion of the 3D font, as recited in amended Claim 17.

Thus, it is respectfully submitted that the rejection of independent Claim 17 (and all associated dependent claims) is rendered moot by the present amendment to Claim 17.

Independent Claim 19 recites limitations analogous to the limitations recited in amended Claim 17. Moreover, Claim 19 has been amended in a manner analogous to the amendment to Claim 17, to recite a server to store a 3D font, to generate control information about the 3D font for expressing the text message on the basis of the received instruction information, wherein said control information includes a parameter to control motion of the 3D font. Thus, it is respectfully submitted that the rejections of independent Claim 19 (and all associated dependent claims) are rendered moot by the present amendment.

Regarding the rejection of Claim 20, the section of the '836 patent cited in the Office Action describes that a host computer transmits a message to a recipient computer, the recipient computer downloads a reader template in order to access text information that is on

the host computer, and that, with the text message, the recipient computer can access a rich media production.

However, the cited section of the '836 patent does **not** disclose that the recipient computer, cited in reference to the claimed second terminal, **specifies a font** necessary for reproducing the character mail on the basis of a text message and control information **received from the author**. Thus, Applicant respectfully submits that, even if the '836 patent is modified by the 3D characters of the '783 publication, the combination fails to disclose said second terminal to specify the 3D font necessary for reproducing the 3D character mail on the basis of the text message and the control information received from said first terminal, as recited in Claim 20.

Furthermore, Applicants submit that the Examiner has not shown that creating a 3D font, based on a combination of a 2D font and a geometric expression for a 3D character, would have been obvious to one of ordinary skill in the art. Further, the server of the '836 patent, which stores the rich media production, does not disclose a server storing a 3D font. Therefore, the '836 patent fails to disclose the second terminal downloads the specified 3D font from a server, as recited in Claim 20.

Thus, it is respectfully submitted that the rejection of independent Claim 20 (and all associated dependent claims) is rendered moot by the present amendment to Claim 20.

Regarding the rejection of Claims 21 and 22, the cited portion of the '836 patent describes the steps discussed above with respect to Claim 20, and describes that the author computer downloads fonts for creating a rich media production. However, as described above, the message, the reader template, and the rich media are all sent from the host computer to the recipient computer. The author computer does not send a text message, control information, and a 3D font to the recipient computer, directly to a second terminal.

Furthermore, although the author computer in the '836 patent describes downloading a font when creating a rich media production so the production can be displayed on the author computer, the '836 patent does not disclose that the downloaded font information, a text message and control information are sent from the author computer to the recipient. Thus, Applicants respectfully submit that a combination of the '836 patent and the '783 publication fails to disclose a second terminal to reproduce the 3D character mail on the basis of the text message, the control information and the 3D font received from said first terminal.

Regarding the rejection of Claim 23, the Office Action cites portions of the '836 reference describing user-selected style and justification properties which can be applied in a container object, and relies on the '783 publication for 3D fonts, specifically the features of scaling and surface texturing of 3D characters. However, neither the '836 patent or the '783 publication discloses a motion parameter of the 3D font.

Thus, Applicants respectfully submit that no matter how the '836 patent and the '783 publication are combined, the combination fails to teach or suggest the control information including a motion parameter of the 3D font, as recited in amended Claim 23.

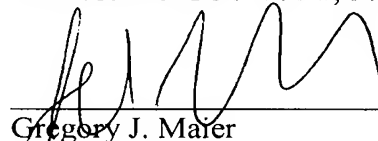
Regarding the rejection of Claims 29-30 and 38-40 under 35 U.S.C. §103, Applicants respectfully submit that the Khare article fails to remedy the deficiencies of the combination of the '836 publication and the '783 patent, as discussed above.

Thus, it is respectfully submitted that independent Claims 17, 19-21, and 23 (and all associated dependent claims) patentably define over any proper combination of the cited references.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

James J. Kulbaski
Registration Number 34,648